



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

July 28, 2017

System No. 3110018

Certified Mail

7012 3460 0003 1113 0642

Richard Dewante, Owner
Tahoe Park Water Company
5000 Windplay Dr., Ste. 4
El Dorado Hills, CA 95762

TRANSMITTAL OF CITATION NO. 01-02-17C-014

Dear Mr. Dewante:

The State Water Resources Control Board (Board) Division of Drinking Water has issued the Tahoe Park Water Company water system a citation, which is attached.

Any person who is aggrieved by an order or decision issued by the deputy director of the Division of Drinking Water under Article 8 (commencing with Health and Safety Code Section 116625) or Article 9 (commencing with Health and Safety Code Section 116650), of the Safe Drinking Water Act (Chapter 4, Part 12, Division 104, of the Health and Safety Code) may file a petition with the State Board for reconsideration of the order or decision. The enclosed citation contains the relevant statutory provisions for filing a petition for reconsideration (Health and Safety Code Section 116701).

Petitions must be received by the State Board within 30 days of the issuance of the order or decision by the Deputy Director. The date of issuance is the date when the Division of Drinking Water mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at: http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions, please contact Michael Burgess at (530) 224-6506 or me at (530) 224-4800.

Stephen W. Watson, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

Enclosures

cc: Richard L. Hinrichs, Chief, DDW-Northern California Section
Placer County Department of Environmental Health

3110018/Enforcement
07282017 Cit Ltr/mtb

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

1 STATE OF CALIFORNIA
2 WATER RESOURCES CONTROL BOARD
3 DIVISION OF DRINKING WATER
4

5 **TO:** Tahoe Park Water Company
6 5000 Windplay Dr., Ste 4
7 El Dorado Hills, CA 95762
8 **Attn:** Richard Dewante, Owner
9

10 CITATION FOR VIOLATION OF
11 CALIFORNIA CODE OF REGULATIONS, TITLE 22,
12 SECTION 64426.1
13

14 WATER SYSTEM NO. 3110018
15 CITATION NO. 01-02-17C-014
16 Issued on July 28, 2017
17

18 Section 116650 of the California Health and Safety Code authorizes the issuance of a citation
19 to a public water system for violation of the California Safe Drinking Water Act (Health and
20 Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter
21 "California SDWA"), or any regulation, standard, permit or order issued or adopted thereunder.

22
23 The State Water Resources Control Board (hereinafter "Board"), acting by and through its
24 Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division
25 (hereinafter "Deputy Director"), hereby issues a citation to Tahoe Park Water Company

(hereinafter, Company) for violation of Title 22, Section 64426.1 of the California Code of Regulations (CCR).

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

- (a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

Section 116701 of the California Health and Safety Code provides:

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.
- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.

1 (f) If an order of the deputy director is subject to reconsideration under this section, the
2 filing of a petition for reconsideration is an administrative remedy that must be
3 exhausted before filing a petition for writ of mandate under Section 116625 or 116700.
4

5 **Title 22, Section 64426.1 of the California Code of Regulations provides in relevant part:**

6 (b) A public water system is in violation of the total coliform MCL [maximum
7 contaminant level] when any of the following occurs:

8 (2) For a public water system which collects fewer than 40 samples per month,
9 more than one sample collected during any month is total coliform-positive;
10

11 **STATEMENT OF FACTS**

12
13 The Tahoe Park Water Company water system is classified as a community water system. The
14 Company serves 444 active service connections in the mountains west of Lake Tahoe, south of
15 Tahoe City. The water system is currently served by a single active well source, the Washoe
16 Way Well. The Company does not provide any treatment of the water supplied to its customers.
17

18 On April 25, 2017, the Company collected two routine bacteriological samples from the
19 distribution system, for analysis at the Tahoe Truckee Sanitation Agency (TTSA) laboratory. On
20 April 27, 2017, the lab notified the District that one of the samples had tested positive for total
21 coliform bacteria, and the District collected four repeat samples, including one sample from the
22 well source for analysis at TTSA lab. All four of the repeat samples collected on
23 April 27, 2017, tested positive for total coliform bacteria. All six of the routine and repeat
24 samples tested absent for E. coli.
25

1 On April 28, 2017, the lab notified the Company, and the Company notified the Division. The
2 Company reported chlorinating the Company's storage tank using sodium hypochlorite and
3 flushing the chlorinated water into the distribution system. A set of three samples were
4 collected on April 30, 2017, from the original routine site that tested positive, the well and the
5 storage tank. All three samples tested absent for coliform bacteria. During the May 2017 total
6 coliform maximum contaminant level exceedance investigation it was learned that the repeat
7 sample collected from the well may not have been collected while the well was running. It is
8 likely that the well sample was actually water from the Washoe Tank.

9
10 In accordance with Title 22, Section 64426(b)(2) of the CCR, on April 30, 2017, the Division
11 directed the Company by email to conduct an assessment of the water system for potential
12 causes of the total coliform positive samples. On May 30, 2017, the Division received a copy of
13 the Company's "Positive Total Coliform Investigation Form." The Company determined that the
14 positive total coliform samples may have been caused by a leaking valve stem between the well
15 and the tank, which was repaired.

16
17 On May 9, 2017, the Company collected two routine samples from the distribution system at the
18 Firesign and Market sites, one sample from the Washoe Tank, and one sample from the well.
19 Both samples collected from the distribution system and the sample collected from the tank
20 tested positive for total coliform bacteria. The well sample tested absent for total coliform
21 bacteria, and all samples tested absent for E. coli.

22
23 On May 11, 2017, the Company collected two samples from the well five minutes apart, and
24 began chlorination of the system once again. Both of the well samples tested absent for
25 coliform bacteria. On May 15, 2017, the Company collected four repeat samples, two from the

1 routine sample sites, one from the well, and one from the Washoe Tank. The repeat sample
2 collected from 640 Olympic tested positive for total coliform bacteria, while the Washoe Tank,
3 the well, and Firesign samples all tested absent for coliform bacteria. All of the samples tested
4 absent for E. coli. The Company identified a possible source of contamination, a 2-inch
5 diameter water main that had been abandoned in 2016 after the installation of a new water
6 main. It was still supplied with water from the booster station at the tank site. The Company
7 was directed by the Division to cut and cap the main above ground at the booster station.

8
9 The Company reported cutting and capping the abandoned water main and disinfecting the tank
10 and distribution system. On May 31, 2017, the Company collected two samples from the
11 distribution system and a sample from the Washoe Tank. All three samples tested absent for
12 coliform bacteria.

13
14 On June 13, 2017, two samples were collected from the Company's routine sample sites, and
15 both samples tested absent for coliform bacteria. On June 19, 2017, three additional samples
16 were collected from the distribution system along with one sample from the Washoe Tank. All
17 four samples tested absent for total coliform bacteria, indicating that the cause of the
18 contamination had been identified and corrected.

19 20 DETERMINATIONS

21
22 The Division has determined that the Company violated Title 22, Section 64426.1(b)(2) of the
23 California Code of Regulations during April 2017 and May 2017. Specifically, the Company
24 exceeded the total coliform maximum contaminant level during the months of April 2017 and
25 May 2017.

DIRECTIVES

The Company is hereby directed to take the following actions:

1. Comply with Title 22, Section 64426.1 of the California Code of Regulations during all future monthly monitoring periods.
2. Within 30 days of the issuance of this Citation, but in no case later than **August 28, 2017**, notify all persons served by the Company of the MCL violation as required by Title 22, Sections 64463.4 and 64465 of the CCR. Notification shall be completed by posting the notice contained in Attachment 'A' in conspicuous places within the service area and by hand delivery or direct mail of the notice to all customers served by the Company. No changes shall be made to Attachment 'A' unless approved by the Division.
3. Complete and return Attachment 'B' entitled "Compliance Certification" by no later than **September 7, 2017**.

Unless otherwise noted, all documents required under this Citation shall be submitted to the Board at the following address:

Stephen W. Watson, P. E.
Lassen District Engineer
Division of Drinking Water
State Water Resources Control Board
364 Knollcrest Drive, Suite 101
Redding, CA 96002

1 As used in this Citation, the date of issuance shall be the date of this Citation; and the date of
2 service shall be the date of service of this Citation, personal or by certified mail, on the water
3 system.

4
5 Nothing in this Citation relieves the Company of its obligation to meet the requirements of the
6 California SDWA or any regulation, permit, standard or order issued or adopted thereunder.
7 The Division reserves the right to make such modifications to this Citation, as it may deem
8 necessary to protect public health and safety. Such modifications may be issued as
9 amendments to this Citation and shall be effective upon issuance.

10
11 **FURTHER ENFORCEMENT ACTION**
12

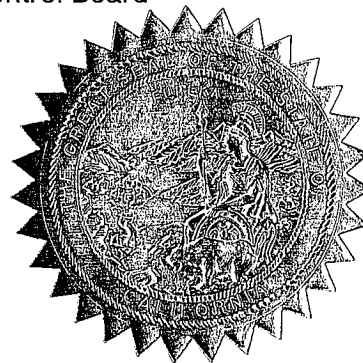
13 The California SDWA authorizes the Board to: issue a citation with assessment of administrative
14 penalties to a public water system for violation or continued violation of the requirements of the
15 California SDWA or any regulation, permit, standard, citation, or order issued or adopted
16 thereunder including, but not limited to, failure to correct a violation identified in a citation or
17 compliance order. The California SDWA also authorizes the Board to take action to suspend or
18 revoke a permit that has been issued to a public water system if the system has violated
19 applicable law or regulations or has failed to comply with an order of the Board; and to petition
20 the superior court to take various enforcement measures against a public water system that has
21 failed to comply with or violates an order of the Board. The Board does not waive any further
22 enforcement action by issuance of this citation.
23

SEVERABILITY

Date _____

Stephen W. Watson, P.E.
Lassen District Engineer
Division of Drinking Water
State Water Resources Control Board

'B' Compliance Certification




COURT PAPER
STATE OF CALIFORNIA
STD. 113 (REV. 3-95)
OSP 98 10824 

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

Tahoe Park Water Company Had Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took nine samples to test for the presence of coliform bacteria during April 2017. Five of those samples showed the presence of total coliform bacteria. We took twelve samples to test for the presence of coliform bacteria during May 2017. Four of those samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may show the presence of coliform bacteria.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

One of the two routine samples collected on April 25, 2017, tested positive for total coliform bacteria. The lab notified the Company of these results on April 27, 2017, following the completion of the tests, and the Company collected a total of four repeat samples including a sample from our well source on April 27, 2017. All four of the repeat samples collected on April 27, 2017, tested positive for total coliform bacteria. The Company disinfected the water system with chlorine. Following the chlorination of the water system, the Company collected three additional samples on April 30, 2017, which all tested absent for total coliform bacteria.

On May 9, 2017, the Company collected two routine samples from the distribution system. Both tested positive for total coliform bacteria, and the well was tested on May 11, 2017. No coliform bacteria was detected in the well sample and following chlorination of the system four additional samples were collected on May 15, 2017, one of which tested positive for total coliform bacteria. The Company together with the State Water Quality Control Board, Division of Drinking Water, identified two possible sources of contamination, which were addressed. Following further chlorination of the water system, three samples were collected on May 31, 2017. All three samples tested absent for total coliform bacteria. Five samples collected during June 2017 also tested absent for total coliform bacteria, indicating that the problem had been corrected.

For more information, please contact Richard Dewante at (530) 583-3938 or 5000 Windplay Dr., Ste. 4, El Dorado Hills, CA 95762

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Tahoe Park Water Company

State Water System ID#: 3110018 Date distributed: _____

COMPLIANCE CERTIFICATION

Citation Number: **01-02-17C-014**

Name of Water System: **Tahoe Park Water Company**

System Number: **3110018**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring violations which occurred during April 2017 and May 2017. In addition, I certify that Tahoe Park Water Company has complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public notification via direct delivery, as required by Directive 2	_____
Public notification via posting in conspicuous places, as required by Directive 2	_____
_____	_____
Signature of Water System Representative	Date

Attach a copy of the notice.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION NO LATER THAN September 7, 2017.
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Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.